

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**KENNETH C. MILLER and  
SECLUDED ACRES, LLC**

**Plaintiffs**

**V.**

**THE CITY OF EAST MOUNTAIN, TEXAS  
and NEAL COULTER, Individually,**

**Defendants**

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**CIVIL ACTION NO. 2:14-cv-00087**

**ORDER OF DISMISSAL WITH PREJUDICE**

On this day came on to be considered the Plaintiffs' Motion to Dismiss with Prejudice as to Defendants, the City of East Mountain, Texas and Neal Coulter, individually and as Mayor of the City of East Mountain, Texas. After careful consideration, the Court is of the opinion that the motion should be granted.

It is therefore ORDERED, ADJUDGED and DECREED that this cause be and hereby is dismissed with prejudice to the rights of Plaintiffs to refile same as to Defendants.

Costs of court are to be paid by the parties.

**SIGNED this 13th day of March, 2015.**

  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE